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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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LARRY WATSON,

Plaintiff,

v.

UTAH HIGHWAY PATROL, et al.,

Defendants.

**MEMORANDUM DECISION AND  
ORDER DENYING MOTION TO  
TEST REMOVED SUBSTANCE**

Case No. 4:18-cv-00057-DN-PK

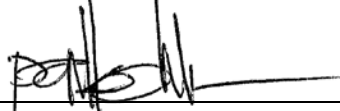
District Judge David Nuffer  
Magistrate Judge Paul Kohler

Larry Watson, a pro se plaintiff, has filed a motion (the “Motion”)<sup>1</sup> to test a substance that was removed from his car. This is a discovery issue governed by [Fed. R. Civ. P. 34](#).<sup>2</sup> However, there is no indication that Watson has complied with the procedures set forth in this rule. There is also no indication that Watson has complied with the procedures set forth in DUCivR 37-1, which governs discovery disputes. For both of these reasons, the Motion is improper.

THEREFORE, IT IS HEREBY ORDERED that the Motion<sup>3</sup> is DENIED.

Signed April 16, 2019.

BY THE COURT:



Paul Kohler  
United States Magistrate Judge

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<sup>1</sup> Motion to Test Substance Removed from Plaintiff’s Car by UHP Chris Terry for Marijuana and Fingerprints (and Maybe DNA), [docket no. 39](#), filed January 16, 2019; *see* Response in Opposition to Plaintiff’s Motion to Test Substance Removed from Plaintiff’s Car by UHP Chris Terry for Marijuana and Fingerprints (and Maybe DNA), [docket no. 43](#), filed January 29, 2019. Watson has not filed a reply memorandum, and the time to do so has expired.

<sup>2</sup> *See also* [FED. R. CIV. P. 26\(d\)\(2\)](#) (regarding early rule 34 requests).

<sup>3</sup> [Docket no. 70](#), filed April 15, 2019.